

3rd August 1932]

MAHBOOB ALI BAIG SAHIB Bahadur:—"Mr. President, Sir, from the point of view of economy also, it is better that these copyists are given fixed salaries. From information furnished by the persons concerned, I came to the conclusion that ordinarily the copyists are paid more than what an ordinary clerk gets. Sometimes, when the work is in full swing, they get more than Rs. 50 a month. But their complaint is that on days on which they could not work it is not possible for them to get these wages. In that way they are handicapped. Moreover, from the figures supplied to me, it is very clear that, while a clerk in the same department earns Rs. 35 a month, a copyist gets sometimes Rs. 50 to Rs. 60. The tendency on the part of persons who are not earning more money is to bring in more men in competition and thus try to bring down their emoluments. So, in Revenue courts and Civil courts, the number of these copyists has increased, and their average emoluments also reduced on account of other men being brought in to do the same copying work. Moreover he is the servant of the public and of the Government. He serves in the department for the whole of his life, say, for about 30 or 35 years. Naturally he expects a pension. No pension or provident fund is allowed to him. He practically goes without a pension or provident fund after serving the Government and the public for 30 or 35 years. So, I have great pleasure in supporting the motion of my hon. Friend, Mr. Hameed Khan, and trust that the Government will see their way to place the copyists and copyist-examiners on a par with other clerks."

1-30
p.m

* The hon. the PRESIDENT:—"The discussion on this motion may continue later.

"Before we adjourn I wish to inform the House that amendments in connexion with the Tirumalai-Tirupati Devasthanams Bill will be received until 1-45 p.m., to facilitate the circulation of amendments to all other Members of the House before we meet again after lunch."

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

III.—THE TIRUMALAI-TIRUPATI DEVASTHANAMS BILL—cont.

* The hon. the PRESIDENT:—"Bill No. 15, as amended by the Select Committee, is now for the consideration of the House. I shall now put each clause to the vote of the House."

Clauses 1 to 5 were put and carried.

Clause 6 (1).

* Mr. K. KOTI REDDI:—"Mr. President, I move that—

'in line 2, for the words "of whom four" the word "who" be substituted and all the words after the word "determine" in line 8 be omitted.'

"With your permission, Sir, I shall move the other amendment proposing the persent Mahant as an additional Member, afterwards.

[Mr. K. Koti Reddi]

[3rd August 1932]

"Sir, my object in moving this amendment is this: the section as it stands provides for both nomination as well as election of Members of the Committee. I provide by my amendment that the Members of the Committee should be entirely elected and that no choice be given to the Government to nominate Members to the Committee. I take it, Sir, that the Government either believes in the capacity of the Members of this House to elect proper persons or not. If the Government believe that this Legislative Council is capable enough, and is sufficiently educated to select Members to this Committee, I fail to see why they (the Government) should be given power to nominate two Members to the Committee. The Committee is a very small Committee consisting of seven Members. I believe that this Council will consist of more Members in the future constitution and as such I fail to see why this House should not be entrusted with the power of electing all the Members. There will always be a majority for the Government in the Council. If the Government are in a position to carry through their business by means of their voting strength, they can always see that a majority of Members amenable to their influences and agreeable to their wishes are selected as Members of this Committee. It is only just and fair that a Committee of this sort which is a responsible body entrusted with the management of a big temple whose income is somewhere about 16 lakhs of rupees should consist of Members entirely elected by this Council.

"With regard to the present Mahant, my next amendment also makes provision to give him a chance. There are some Members of this House who have a very tender heart for him on account of his business capacity and also because he has rendered long service as the Vicharanakartha of the temple. Provision can be made to give the present Mahant a chance to serve on the Committee by making him an additional Member in addition to the seven Members. Whether the present Mahant will be a Member or not, the purpose of my amendment is to see that all the seven Members of the Committee should be elected by the Council. With these few words I move my amendment of which I have given notice."

Mr. K. A. NACHIYAPPA GOUNDER:—"I beg to second the amendment."

* The hon. the PRESIDENT:—"Mr. Koti Reddi's amendment is for the discussion of the House. It runs thus:—

'That in line 2 of section 6 (1) for the words "of whom four," the word "who" shall be substituted.

'That all the words in line 8 after the word "determine" be omitted'."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"I am sorry that this amendment cannot be accepted by me for this reason, that if the Mahant is made an additional Member it will increase the strength of the Committee and it will be an even number of 8. It will be a difficult matter if the Members are divided equally as four

3rd August 1932] [Mr. C. S. Ratnasabhapati Mudaliyar]

and four in which case, the President will have to be giving his casting vote. As the section stands at present, the Mahant will be one among seven Members. Leaving the Mahant, there will be two Members to be nominated by the Government. This question was discussed at great length in the Select Committee and they finally came to the conclusion that two of the Members at least should be nominated by the Government. It may not be quite possible for representatives of all sections of the Hindu community to be on the Committee. Sir, only those who possesses the party strength may be selected for the Committee and it may not always be possible that the Committee would be of a representative character. My hon. Friend Dr. Subbarayan wanted that at least one member of the depressed classes should be nominated as a Member of the Committee. So in order to provide for the representation of this community and other such communities it is necessary that Government should take power to nominate at least two Members to the Committee."

* Sriman M. G. PATNAIK Mahasaya:—"Sir, this amendment will lose all its importance if the Government becomes autonomous, because in that case there will be no difference between the Government and the Legislature as the hon. Ministers will then be really responsible to the Legislature. Therefore it really does not matter whether this amendment is carried or not. Under diarchy such a provision is necessary and people who want to amend the present section do believe that this Legislature is diarchical and may not take into consideration the interests of minorities. So far as the future Government is concerned, it is not going to be diarchical, and therefore my hon. Friend Mr. Koti Reddi may not press his amendment."

The amendment was by leave withdrawn.

Mr. T. S. RAMASWAMI AYYAR:—"Sir, I beg to move—

'Instead of the word "four" in section 6 (1) substitute the word "five" and for the word "three" substitute the word "two".'

"If there is going to be election and also nomination, it is not proper that there should be four elected seats and three nominated seats. If there is going to be election, there should be a large number of seats. Nomination should be resorted to only as a last resort if we find that elected Members do not do full justice to the cause of the minority communities. But if the nominated seats are going to be as many as three what is the point in having an elected Committee? Therefore, I wish to move that the word 'four' be substituted by the word 'five.' There may be five seats for the elected Hindu Members and three seats for nomination by the Government."

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, this is only a very small amendment and I do not think the hon. Member in charge of the Bill need raise any objection to it. The elected element is increased by only one and the nominated element is decreased correspondingly.

[Mr. Sami Venkatachalam Chetti] [3rd August 1932]

All the same the interests of unrepresented communities will best be served and incidentally the hon. the Minister will not be bothered with applications for seats on the Committee. Provision is made in the Bill for election by the Legislative Council of either Members of the Council or outsiders. Therefore the Council should be empowered to elect as many Members as possible so that they may elect a few from among themselves and a few from outside. The greater the number of Members to be elected by the Council the greater will be the chances of outsiders being elected by the Council. In the interests of those who are not Members of the Council, the amendment to substitute in sub-section (1) the word 'five' for the word 'four' and the word 'two' for the word 'three' is necessary. I therefore support the amendment."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Sir, the object of Mr. Sami Venkatachalam Chetti can be better attained if the Government had the power of nominating at least two Members. The Government may nominate either Members of this Council or outsiders. Once the principle of nomination by Government is accepted it is better that they have the power of nominating at least two Members."

* Mr. V. M. RAMASWAMI MUDALIYAR:—"Sir, I quite appreciate the intention of the hon. Member from Madras to give greater chances to outsiders being elected by the Legislative Council. But unless some seats are reserved for outsiders as such, human nature being what it is, the Council will certainly try to satisfy its own Members by electing them, rather than outsiders. I am practically certain that only Members of the Council will get elected. Therefore, while appreciating the position taken up by Mr. Sami Venkatachalam Chetti in this matter, I think, in order to secure the very object for which he pleaded, it is much better that power is vested in the Government to nominate two Members of the Committee. Because it is only then, taking into consideration the fact that all the Members of the Committee are Members of the Council that the Government will have a chance to appoint outsiders to the Committee."

Mr. T. S. RAMASWAMI AYYAR:—"Sir, from the remarks made by the hon. Member for North Arcot, I am surprised to see that he places more faith in the executive than in the legislature of which he is a Member. The Council is certainly the best body to elect representatives, it itself being a representative body elected by the whole Presidency. It is only in the fitness of things that this Council should elect four or five Members to sit on the Committee entrusted with the task of administering these endowments. If the Legislative Council cannot trust itself, I do not think we need sit here and discuss things at all. Why should the hon. Member fear that we will not be electing outsiders at all? Suppose five Members have to be elected. Even putting it at the worst, if three are elected from the Council, two at least will be elected from outside. I do not see what useful purpose will be served if we deny ourselves the power of electing the Committee and put it in the hands of the Government. I am particularly sorry

3rd August 1932]

(that the hon. Member who represents Labour should take up an attitude like this on a question concerning a democratic institution."

The amendment was put and lost.

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Sir, I move—
that the word "Hindu" occurring before the words "Members of the Legislative Council" be deleted."

"I think, Sir, that the principle enunciated in this clause is unique and undesirable. I am not aware of any other Committee elected by this Council where its members whatever their denominations and the religious principles they subscribe to, are denied the right of voting. I can understand the principle being enunciated that the members elected should be Hindus, but members of other denominations who have got seats in this Council, why they should be denied the right to elect members to this Committee, I for one do not understand. It is a very unfair provision. We who do not subscribe to the Hindu system of belief hold no partisan views and if anything at all, we will take a detached view of things not being interested in this or that party. (Mr. Sami Venkatachalam Chetti: 'That is your disqualification.') That is exactly our qualification, because Hindu Members may, under certain circumstances, take a partisan view. I think that this obnoxious and invidious distinction that is proposed to be set up by this clause should be removed. I therefore move that the word 'Hindu' be deleted and the usual procedure adopted in the matter of elections is adopted in this case also. It is stated here that the election should be by the method of proportional representation. We elect many committees here by the method of proportional representation. I am not aware of any case where the Council as a whole does not take part in such elections."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second the amendment."

* Mr. F. E. JAMES:—"Sir, it is difficult for one like myself to speak on a matter like this. But I should like as an individual member of this House to express my agreement with the idea underlying this amendment. I can understand a provision which said that the committee shall consist of members of whom so many shall be Hindus and shall be elected from among members of the council by the members of the council. But this principle of introducing separate electorates in this Council, I am surprised to see emanating from the hon. Member for Coimbatore. I very much doubt whether it is wise to adopt it. I may draw a rough analogy with what happened in the House of Commons on two occasions. First of all it will be remembered that when the discussion on the English prayer book took place in the House of Commons, it was suggested that members of the House of Commons who were not members of the Church of England should not take part in voting on that particular question. That suggestion was very warmly resented by the other members of the House on the ground that no one has any right to deprive an individual member of a legislature of his

[Mr. F. E. James]

[3rd August 1932]

right of voting on matters that come before the House. Another analogy—again it is a rough one—is in regard to matters pertaining to the Church of England which are dealt with by a body known as the Church Assembly. I can understand the administration of temples, in detail at any rate, being taken out of the hands of the Legislative Council and being delegated, if you like, to a separate Hindu assembly which would be a subordinate legislative body of this Council. That is the principle which has been accepted in England with regard to the administration of the Church of England. But even in regard to that matter the House of Commons remains the sovereign legislative body on matters of general principle and the individual members of the House of Commons whether they be Atheists, Jews, Protestants, Roman Catholics or members of the Church of England, have the right of voting on matters which come before that assembly. Therefore, when I first saw this Bill a few weeks ago it did occur to me as to whether it would be wise to restrict the right of voting to one particular section of the House. I do not say we should follow slavishly the precedents of other assemblies, but I do suggest that this may give rise to further divisions in regard to matters that come before the House. For instance, when the question of wakfs comes before the House, it naturally occurs to one that the Muhammadan members of the House may wish to be separated from the rest in voting on that question. The matter might go to the extent of dividing the privileges of the House among the members of the different communities. I have taken part in this discussion with very great respect to the members of the House who are dealing with this matter. But I do venture to express, if I may, a mild doubt as to the wisdom of putting this particular disqualification upon the non-Hindu members of the Council, because, I fear that such a precedent if accepted might lead the House later on in other matters to follow the same example.”

* Mr. SAMI VENKATACHALAM CHETTI:—“ Sir, I am afraid my hon. and esteemed Friend, Diwan Bahadur Arogyaswami Mudaliyar, has introduced, perhaps quite unintentionally, a very serious controversy in this matter. Sir, it seems we cannot rise above thinking politically always. If we have certain ideas with regard to the politics of this country, it looks as though we have got to introduce those ideas in all our aspects of life. That is rather a very narrow view of life. Life has got many more functions in this world than mere hankering after democratic representation and allied things. It is this confused thinking, this confused introduction of politics into every aspect of life that makes the conservative people object to interference with religion, religious institutions and religious customs. I dare say that most of the hon. Members are aware of the strong opposition which this Council encountered when the Hindu Religious Endowments Act was in the process of being made into law. One of the grounds of objection—and that was a very serious objection—to the passing of that measure was that once it was conceded that these temples and religious institutions could be interfered with by the Government, nobody could know or

3rd August 1932] [Mr. Sami Venkatachalam Chetti]

define to what extent that interference would extend. But a more enlightened opinion prevailed that the Government knew the limits of interference and that they would not go more than it is quite necessary and that the sanctity and integrity of these institutions would be kept up without importing secular and other material considerations in the administration of those institutions. That point being conceded, the Hindu Religious Endowments Act is being worked. Here and there there are protests made against interference with particular customs and usages. Particularly in Trichinopoly and Srirangam we are hearing of instances of the Board trying to introduce its own views with regard to the actual customs and rituals which are prevalent in those temples. But those objections have not yet taken any serious shape for us to bring to the notice of the Government that the Board is exceeding its powers. But that is a sufficient warning for the Government to know where they should stop and where the question of democratic representation ought to be limited. One of the reasons urged by my hon. Friend, Mr. Arogyaswami Mudaliyar, for omitting the word 'Hindu' and for making the electorate consist of people of all religions and castes is that they are better qualified to exercise the vote inasmuch as they are quite disinterested and that they are not likely to take a partisan view of things. But in the matter of representation, it is an axiomatic truth that it is only those who are interested in particular institutions that should vote. It is only such people whose interests are affected, it is only such people whose privileges have to be safeguarded, it is only such people who feel that these institutions are theirs, that should have a final say in a matter governing those bodies. The question of joint electorate, of communal electorate or special electorate does not come in. People who strongly believe that joint electorates are good for the country, can certainly take the other view that so far as religious and communal institutions are concerned, they should be masters of their own household. Simply because we have been advocating joint electorates with regard to certain representative institutions, it does not follow that the same principle should be followed in the regulation of family affairs. Simply because we have conceded that joint election is good for the country, it does not mean that we should allow our family affairs to be regulated by people not belonging to the family. That will be carrying the analogy too far and it would make the whole position too absurd.

"My hon. Friend, Mr. Arogyaswami Mudaliyar, said that he had not come across instances where certain sections of the House were denied the right of voting. I am afraid he has forgotten many such instances in this Council. In the first place, for the election of non-official Members of this Council for the Finance Committee, the official block is excluded from exercising its vote. That is so, because it is recognized that those people whose right has to be safeguarded and whose interests are to be represented in a particular body, should not be interfered with by any other group or block which has no such interest. Again, for the election of Members to the Senate of the Andhra University, it is not only officials that are excluded from voting but also all

[Mr. Sami Venkatachalam Chetti] [3rd August 1932]

those who do not happen to reside in the districts comprising the Andhra University area are not entitled to vote. It is quite reasonable and quite consistent with the existing practice with regard to institutions to which representatives are elected by this Council. I only beg that those hon. Members who are under the mistaken impression that their views with regard to joint electorates and special electorates might come into conflict with the view that they should vote for the retention of the word 'Hindu,' would view the matter in quite a different light. They should consider whether they would permit other people to interfere in these elections. I do not think the Muslims are going to allow Hindu Members to vote when any question affecting their institutions exclusively, comes before the Council. Having regard to their own interests, having regard to the prospect of the same thing being repeated when their properties and religious institutions come for legislation, it is desirable that the Muslims should, even now, not interfere with the electorates intended for Hindu religious institutions. I beg my hon. Friend, Mr. Arogyaswami Mudaliyar, not to press his amendment; he may be academically speaking on mere principles and everybody would like to take part in the discussion. With regard to those institutions, people are guided more by faith than by other considerations. The introduction of this provision will be very mischievous."

* Rao Bahadur Sir A. P. PATRO:—"Sir, I am very much in sympathy with the earnest desire of the hon. Member who wishes to see that no distinction should be made among the Members of this Legislature. Indeed he has rightly brought to the notice of the House that it should not make any such distinction. I am a cosmopolitan; I am, therefore, entirely in sympathy with his views. If it is possible for Hindus to be elected to Committees or Councils of Christian Churches, we will not have any grievance at all. These religious denominations have particular functions to perform; they have definite duties. Hindu customs and Hindu worship have definite forms and methods. It is not a purely political matter that we are considering now. . . ."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"May I correct my hon. Friend? He is mixing up matters. His objections will be quite all right if I asked for the omission of the word 'Hindu' in clause 7. We are considering clause 6."

Rao Bahadur Sir A. P. PATRO:—"I am speaking of the electorate. We understand him much better than himself. He does not know where he is, because he is very vague. We are quite definite in our position; we say that in accordance with precedents only the Hindu electorate of this House should take part in those elections."

"Then my hon. Friend representing the Planters referred to the analogy in the House of Commons. I find he is not in his seat now. I hope he has studied the composition of this House and that of the House of Commons. The House of Commons is composed of Christians only. But here this House does not consist of Hindus only but of people of various religions. Therefore the analogy to which the hon. Member referred, does not hold water; his other remarks are not quite

3rd August 1932]

[Sir A. P. Patro]

relevant to the case. You will find in clause 17 that the functions of this Committee are defined; one of the functions is to arrange for the conduct of the daily worship and ceremonies and of the festivals in every temple according to its usage. The functions of the Committee are not only to manage the properties and affairs of the devasthanams but also to arrange for the conduct of the worship, ceremonies and festivals. No Christian or Mussalman Member can possibly be an elector to a Committee which has to supervise the festivals and ceremonies relating to the temples. Therefore, the provision rightly says that only Hindu Members who are concerned with these temples, should elect Members to the Committee. No more argument is necessary, because the position is very plain."

* Sriman M. G. PATNAIK Mahasaya:—"Sir, I want to make a few remarks on this point. If you will just recall the circumstances under which the management of this temple was transferred to the Mahant, you will find that it is not on account of the narrowness of the Hindu religion that this temple was transferred but because of the pressure of the Christian missionaries. At that time, Christian missionaries supposed that those who were administering the country on behalf of the East India Company were subscribing to idolatry if they were managing or supervising these temples. Those Christian missionaries thus showed their narrow-mindedness. It was only on that account that the management was transferred to the Mahant. If Government had not withdrawn from the management of the temple then, the management would not have changed now. In that case, there would have been no difficulty at all. Previously, I believe the Nawabs of the Carnatic were supervising the management of these temples. If that is so, there is absolutely no reason why Muhammadans or Christians should not take part in the election of only Hindu Members. I do not see why any Hindu should object to it. Anybody who would object to this proposition would not be considered to be liberal or large-hearted. I think Hindu religion is very liberal. It was only on account of the narrow views of the Christian missionaries that Government withdrew from the management. If Christians or Muhammadans show themselves large-hearted now, let them take part in the election to this Committee. Of course, you have given power to the Government to nominate certain Members to this Committee. Supposing my hon. Friend, Mr. Arogyaswami Mudaliyar, becomes a Minister and is in charge of these religious endowments, or supposing that all the three Ministers are Christians, they may nominate members. Therefore, how can anyone object to Mr. Arogyaswami Mudaliyar taking part in the election?

"Now look at the question from another stand point. All matters connected with temples go to Courts. For instance, questions regarding election of members may go to courts. Do you always see Hindus there as freely as you see many Muhammadan and Christian Judges in the District Courts and the High Court? Did not this very institution go up to the District Court, the High Court and to the Privy

3-15
p.m.

[Sriman M. G. Patnaik Mahasayo] [3rd August 1932]

Council? Are all those Judges there Hindus? You subjected this institution to the decisions of those Christian Judges; I do not see how you can object to this amendment now. The Muhammadan and Christian Members of this Council have simply to say whether particular persons should be elected or not. They simply take part in the election. Of course, these Christian and Muhammadan Members won't go into the temple. For the matter of that, suppose all these seven persons happen to be non-Brahmans. These people would not be allowed to go into the inner temple in order to supervise the worship there; that will be considered objectionable. Or you may have representatives of the depressed classes. Would you allow any of these people to go into the inner temple? I fear that cannot be done. If that is so, there is absolutely no reason why Muhammadans and Christians should not take part, if they wish to, contrary to what their ancestors did previously; I think Hindus should welcome such an attitude on their part and not show themselves as illiberal."

* Mr. K. P. RAMAN MENON:—"Mr. President, the point has been very much obscured by dragging in the ancient history of the institution and also the point as to what the Hindus expect the Muhammadans to do and other things. If one looks into the provisions of this clause, one can see more or less that only the Hindus can partake in the election of the Members of the Committee. First of all, what was thought necessary was to have an elected Committee. We started with that—whether it was to be seven or eight or four members, we wanted an elected Committee. Then the question arose: who was to be elected to that Committee? It was mentioned that the Committee should consist of persons professing the Hindu faith. Then the question was: who were the persons to elect members to that Committee? Naturally, it was the whole Hindu electorate, comprising the Hindu residents of the province. But we have not got the necessary machinery to bring them together and to make them elect the particular persons who are to form the members of the Committee. On the other hand, we have their representatives in the Legislative Council, the Hindu elected Members of the Legislative Council. So, probably, the framers of this section hit upon the idea of falling back upon the Hindu Members of this Legislative Council who are elected by the Hindu electorate of this province, to form the electorate for the election of the members of the Committee. This evidently is the genesis of the section and there is absolutely nothing therein to suggest that the Christians and Mussalmans will not have the mental equilibrium to choose the right person for the right office, and so on. We need not introduce all those complications here. If we only analyse the section, if we see what is the basic idea contained in the section, we can easily find that it is to have Hindu Committee Members elected by the Hindu public of the entire Presidency. In the absence of such an electorate, there are the Hindu Members of this Legislative Council which body forms a good electorate. That is the whole point, and there is no necessity to confuse that with the other larger questions as to whether persons who

3rd August 1932] [Mr. K. P. Raman Menon]

want joint electorates can come into this electorate, whether we should not allow Muhammadans and Christians to associate with us in this respect especially when the Nawabs of the Carnatic and the East India Company were administering Hindu temples, and so on. All these questions are not quite relevant. I submit if on these lines the origin of the section is thought out, there will be no difficulty in inducing Mr. Arogyaswami Mudaliyar to withdraw his amendment."

* Mr. V. T. ARASU:—"Sir, I rise to give support to the amendment moved by the hon. the Floor Leader of the Opposition. I am surprised at the attitude taken up by the hon. Member from Ganjam, Sir Patro, and the hon. Member from Madras, Mr. Sami Venkatachalam Chetti. Firstly, Sir Patro was confusing and confounding the issue when he said that non-Hindu Members should not be given any hand in the management of the temple. If you will carefully read the amendment of Mr. Arogyaswami Mudaliyar, you can find that the amendment relates only to the electorate and not to the Members of the Committee. All that the amendment seeks to do is that the Legislative Council, as a body, should be empowered to elect four Hindu Members to serve on the Committee of this devasthanam. What objection can there be to this proposal? And I contend that there can be no objection to non-Hindu Members being included in the electorate. In this, I am supported by precedents. If Sir Patro would only refresh his memory, he would remember that during the time when he was himself a Member of the Madras Cabinet—I believe it was in the year 1923—the Hindu Religious Endowments Act was passed. If you analyse the division list by means of which that Act was passed into law, you will find that quite a large number of the Mussalman and Christian Members of this House participated in the division, and that but for their votes, the Hindu Religious Endowments Bill which was introduced by the Raja of Panagal would not be on the Statute Book to-day. Sir, when you seek the help of the Christian and Mussalman Members of this Council to pass an important law concerning Hindu religious institutions, and when with their votes you manage to pass it into an Act, what objection is there to allow Christian and Mussalman Members of this House to participate in the election of a Committee? The bogey of religion in danger now comes in.

"Then the hon. Member from Madras said that we must not import political ideas into this matter which is essentially religious. Yes, I am in agreement with the hon. Member. But, Sir, I can understand if this power of constituting a Committee is vested in the hands of a religious body—say some Sabha of Ayyangar Brahmans of Tirupathi. On the other hand, the power of constituting this Committee is vested in a non-religious body, and a body which is pre-eminently political, the Legislative Council. Therefore, I ask the hon. Member from Madras, whether he is prepared to introduce separate electorates in a political institution. This is not a religious institution. In a

[Mr. V. T. Arasu]

[3rd August 1932]

political institution like this, he advocates the introduction of communal electorates by which he would exclude Christian and Mussalman Members from participating in the election of members to the Committee of the Tirupati temple.

“ Lastly, Sir, one thing which I should like to bring to the notice of this House is this: that is, the analogy of the House of Lords in the English Parliament. Hon. Members of this House know that the House of Lords in England constitutes the supreme appellate authority. Though it consists of all sorts of people not well-versed in law, still it constitutes the supreme appellate authority in the Realm. When appeals come before the House of Lords, the lay Lords as they are called, simply clear out of the House and leave the Law Lords alone to come to a decision on such matters. In the same manner, I think when it comes to a question of actual election of members to this Committee, the non-Hindu Members of this House will have the good sense to abstain from voting. That is quite possible. But I am opposed to the idea of statutorily invalidating them from taking part in the election. For these reasons I appeal to this House to accept the amendment of the hon. Mr. Arogyaswami Mudaliyar.”

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—“ Sir, I am indeed sorry that this amendment should have been moved. I fear there is a lot of confusion with reference to the object of what is proposed to legislate here. We are not here giving power to the Legislative Council as such to nominate members. That seems to be the idea with which the present amendment is moved. If, for instance, the power of management of this particular temple is vested in the Legislative Council and it is to appoint some deputies to manage the temple on behalf of the Legislative Council, I think then the amendment would be the proper thing to be moved here, and certainly nobody who objects to that will be in the right. But what is proposed here is not the giving of any power of nomination to the Legislative Council as such, but the formation of a convenient electorate for electing persons to manage this institution. Various proposals were made before the Select Committee in this regard; one was to give seats to the different districts, so that Members might be elected in the same way as members of temple committees are elected—i.e., by the same electorate. Another proposal was that the districts around Tirupati should be given the same power, and it was felt that as the temple is a very important temple in southern India, those who elect persons to this Committee should be persons belonging not only to one district, but to several districts. In regard to this, it was thought that it would not be possible to arrange for an electorate sufficiently wide for electing members to this Committee. It was therefore felt that that power might be given to the Hindu Members of the Legislative Council, not as Members of the Legislative Council, but as persons chosen by the larger Hindu electorate. That was the idea. Simply because we could not find any other arrangement by which to bring together a sufficiently

3rd August 1932] [Mr. T. A. Ramalingam Chettiyar]

large number of electors to elect members to this committee, we hit upon this idea of having people who are already elected by the several districts, as the electors in a sort of secondary election. That was the idea with which this proposal was made—not that any special powers were sought to be given to the Legislative Council as such. I, therefore, beg to submit that the amendment now moved does not take into consideration that governing idea with which the provision was made in the Bill.

“Then, Sir, it is also forgotten that we are not here legislating for ourselves. Sir, religion is a very delicate matter; and so far as the ordinary people are concerned, they feel very strongly in such matters. I put it to my hon. Friends of the Muhammadan religion and even of the Christian religion—which is supposed to be more advanced—whether they would tolerate or will be prepared to allow the managers of their mosques or their churches to be elected by Hindus. I am yet to know of a Christian institution in which the Church Council is elected by members of the Hindu community. (Diwan Bahadur R. N. Arogyaswami Mudaliyar:—But this is a Legislative Council!) True. To say, Sir, that the members of the committee of management of a Hindu temple should be elected by persons who do not belong to the Hindu religion is a thing which would not be liked not only by the Hindus but by the Muhammadans and the Christians as well who feel deeply on religious matters; it is not a thing which they will endorse. So, it seems to me that this particular amendment has been based on a false conception of the idea with which the provision has been introduced in this clause. I hope, Sir, my hon. Friend will not press it.”

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“Mr. President, I am sure that every Member of this House is aware that it is only in recent years that measures of this kind are moved in the Legislative Councils of the country. Some years ago, when measures of this kind were brought forward either by the Government or by private Members of the Council, every one said that religion was in danger. In recent years, Government have taken the right view to bring forward measures to improve institutions and private members also have taken advantage of it. In matters of this kind, one has to go very cautiously. We have to take not only the feeling of this House, but that of the Hindu public outside also. I am, like my hon. Friend, Sir Patro, in full sympathy with the objects of the amendment moved by my hon. Friend, Mr. Arogyaswami Mudaliyar. But I am here as representing the general Hindu public and I must voice forth what the feelings of that community will be if non-Hindu Members of the Legislative Council are allowed to take part in the matter of election of members to the committee. All the hon. Members of this House have been taking part in the discussion on the Bill—every Member of a legislative body has a statutory right to take part in the discussion—in shaping this Bill and bringing it into an Act. After that has been done, I am afraid, in working out the Act, and in giving effect to the Act, the non-Hindu Members who have nothing to do with any institution for which a committee is to be formed, if they are allowed to

[Mr. C. S. Ratnasabhapati Mudaliyar] [3rd August 1932]

take part, there will be considerable resentment among the general Hindu public. It is their feeling that we have to take into account in matters of this kind. In another five or ten years, it is quite possible that the feeling of the general public may change, but we have to look at it from the point of view of as to how it would be taken by them at present. When that is considered, I am afraid the feeling will be in favour of the clause as it stands and it will surely be against the amendment proposed by my hon. Friend Mr. Arogyaswami Mudaliyar.

"Sir, I am surprised at the attitude taken by Mr. V. T. Arasu. If to-day a referendum is issued I am sure that 99 per cent of the Hindu voters of the city will say that the non-Hindu Members of the Legislative Council should not be given the right to take part in the election of members to the committee. So, Sir, I oppose the amendment."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I rise to support the amendment of my hon. Friend Mr. Arogyaswami Mudaliyar. There are many reasons why I should support the amendment. When the Hindu Religious Endowments Act was brought into force, a member of my community sat on the Select Committee and they made certain rules whereby the district boards and municipalities could return Hindu members to the temple committees from among themselves. But if any member were to take a census and find out whether any depressed class member, who is also a Hindu, was ever returned to any of the temple committees, the answer will be 'No'. It was Dr. Subbarayan who was bold enough to nominate some of the members of the depressed classes to the various temple committees, when he was in office. Now, due to some law, even that nomination has been stopped. After all, the amendment seeks to give power to Members of the Legislative Council to choose Hindu members for a committee that is going to manage the affairs of the Tirumalai-Tirupati Devasthanams. That being the case, I do not see any reason why all the Members of the Legislative Council should not be given a chance to take part in the election. If this amendment is allowed, I think, Sir, the depressed classes also will find a place in those committees. Now, under the garb of custom, though we are Hindus—taking my own case, I am a Vaishnavite—if we like to go to Tirupati to worship the deity, there is no chance? I do not blame the Hindu Members of the Legislative Council; I have a great regard for them and I hope they will have a better chance of going to those committees."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Mr. President, Sir, I am surprised to see members of very advanced views like my hon. Friend Mr. Sami Venkatachalam Chetti coming forward to oppose this very reasonable amendment. My hon. Friend Mr. Sami Venkatachalam complained of confusion of ideas on the part of the hon. Mover of the amendment, but I think he himself has confounded it still further and made it worse still. First of all the word 'Hindu' is not defined. I wish to know whether some of us who are Brahmos including Sir A. P. Patro, are Hindus. (Loud laughter from the opposition.) That is

3rd August 1932] (Mahmud Schamnad Sahib Bahadur] - .

indeed very vague. The comparison made by Sir A. P. Patro about the English Parliament is not quite correct. He said that the Parliament consists only of Christians but he is quite mistaken. As a matter of fact, there are several Jews, and even Parsees and Muhammadans are also there. If the minority communities do ask for separate electorates, it is only because the election outside is done by illiterate masses, who cannot distinguish things properly. But, here the election is to be made by enlightened representatives of the people who compose this House. Now, hon. Members here trying to introduce communal electorates in this Council also is really surprising. If the Hindus want separate electorate for electing members to a committee which is to deal with matters concerning Hindus, the Christians may also require another Christian electorate; so also the Muslims and Adi-Dravidas. And we Brahmos also may require our own electorate and so there will be no end to all this confusion worst confounded. I therefore hope that my hon. Friend Mr. Sami Venkatachalam and others will not oppose, but will kindly support the very reasonable amendment moved by Mr. Arogyaswami Mudaliyar."

* Rao Bahadur A. T. PANNIRSELVAM:—Mr. President, Sir, as one who believes in separate electorates as the most efficient means of securing true and correct representation, I feel that I should oppose the amendment moved by the hon. Diwan Bahadur Arogyaswami Mudaliyar. The institution that has to be administered by this committee being Hindu it is but right and proper that it should be managed by persons who are truly and wholly Hindus and who represent the Hindus alone and it is therefore in the fitness of things that the electorate that is to return members to the committee should be exclusively Hindu. The Tirumalai Devasthanam is a Hindu pie and why should Christians or the Muslims want to dip their fingers in it. It is the affair of the Hindus and they have to manage things for themselves.

"Again, Sir, I find from the report of the Select Committee that the annual revenue of the devasthanam is somewhere about 16 lakhs of rupees and may I ask, Sir, if there is one Christian or one Muslim in this House or even outside who contributes a single pie towards the devasthanam funds. It is their money contributed exclusively by the Hindus. Why then should the Christians or the Mussalmans be anxious to have a voice in the management of that devasthanam. I do feel strongly, that being a Hindu institution, it should be wholly and exclusively Hindu. In this connexion my hon. Friend Mr. Ramalingam Chettiyar from Coimbatore put a very pertinent question. He asked us if there can be a single Muslim or for that matter a single Christian who would agree to the Hindus forming part of the electorate to any Council that might be formed to administer a Christian charity or a Muslim charity. As a Catholic myself, I hope that there would be no occasion for any State interference with the affairs of my church but if there should be any occasion for such interference at all, I should certainly not desire that the Hindus, the Muslims or even the

[Mr. A. T. Pannirselvam] [3rd August 1932]

Protestant community, should have anything to do with it. That is a matter concerning myself and the people of my faith alone should have a voice in it. Therefore, it is but right and proper that the Hindus should claim and form their own electorate in this matter.

“It may perhaps be thought unfortunate that the Christian representative of the City should have raised this debate. But, at the same time, I believe it has had its purpose in this way. It should have given him an insight into the mentality of his Hindu colleagues on the other side of the House. I could understand my hon. Friend and Leader, Sir Patro assuming the attitude he did, belonging as he does to a party which believes in each section of the community being given the right to manage its affairs in its own way and he has been perfectly consistent. However agreeing as I do with my hon. Friend from the City, Mr. Sami Venkatachalam Chetti, I cannot help expressing my surprise at the attitude he has adopted. That at least shows the way in which his mind works. If it be a case of his interests being affected, he says to you all to pause, but if your interests are at stake, he says ‘Let me also have my finger in the pie.’ I hope this will prove a ‘moral lesson’ to my friend Mr. Sami Venkatachalam Chetti and also to my hon. Friend Diwan Bahadur Arogyaswami Mudaliyar.”

Mr. ABDUL HAMEED KHAN:—“Mr. President, Sir, I am afraid that there has been some misunderstanding with regard to the attitude of the Mussalmans generally in this House. I understand that this is purely a religious question, but it affects Hindu temples and Hindu charities. In purely Hindu institutions of that kind, I believe that neither Muslims nor Christians have any right either to elect members or to serve on the committees of those temples. Of course, a very pertinent question was asked by my hon. Friend Mr. Ramalingam Chettiar, namely, whether the Muslims and the Christians would allow non-Muslims or non-Christians to sit in their committees or even for that matter to elect members for such committees. I agree with him that they will not do so. But, Sir, when the Select Committee to consider this Bill was formed, I was of the opinion that there was no place for Muslims or Christians even on that committee, but to my surprise both Muslims and Christians found their way into the committee either due to the pressure of the Hindu members or of their own accord. Somehow, the committee met and it has come to a decision. Of course, there is no doubt that we ought, as far as possible, not to divide this House into groups. If it were a political matter, I should certainly not have been a party to forming separate groups for purposes of election, but I find, in this case, it is a purely religious question. So, I do not think that either the Muslims or the Christians have any place either in the electorate or much less on the committee. Therefore, Sir, I am afraid, I have to oppose the amendment of Mr. Arogyaswami Mudaliyar.”

Mr. M. A. MUTHIAH CHETTIYAR:—“I move—
‘that the question be now put’.”

Mr. SAMI VENKATACHALAM CHETTI:—“I second it, Sir.”

3rd August 1932]

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, I had no intention of taking part in this debate. Really speaking all this trouble would not have arisen if the Members of the Select Committee had considered the matter whether the Legislative Council was the proper constituency for electing the members of the governing body of this temple. In fact, they have adopted this wrong constituency, and that is the real cause of all this trouble. When once you have decided to have the whole Legislative Council as the constituency, I think it is but proper that all the Members should have the vote. I am sorry to see Mr. Sami Venkatachalam Chetti and Mr. Ramalingam Chettiar, whom I have taken to be opponents of communal electorates of all kinds standing in their seats here and supporting this motion. I am glad, Mr. Pannirselvam has explained to them their real position. (Hear, hear.) I hope next time when they rise in their seat they would be at least careful to be consistent with the political theories they put forward. (Laughter.) But once when they have come to this Council and when once they have made this Council the electorate for electing members of the Devasthanam Committee, it is but fair and just that all Members of the Council should be given the right to elect. I am sure my hon. Friend, Mr. Arogyaswami Mudaliyar, does not go beyond that. He does not want to elect a Christian, or a Muhammadan, or a European for the matter of that, to be a member of the managing committee of a Hindu temple. What he says is, once you have made the Legislative Council the constituency, he being a Member of the Legislative Council, he should have the right to vote for a Hindu Member. I think he is quite right. (Hear, hear.) If you don't want to give a vote to Members of the Council other than Hindus, then devise a different electorate a Hindu electorate. But when once you are making the Legislative Council as the electorate I for myself would vote for every Member of this Council having a right to elect members to this Committee." (Hear, hear.)

* The hon. the PRESIDENT:—"I take it the House is now ready for a vote. The question is—

'that in clause 6 (1), the word "Hindu" be omitted'."

The amendment was put and declared lost. Diwan Bahadur R. N. Arogyaswami Mudaliyar demanded a poll and the House divided thus:—

Ayes.

- | | |
|--|--------------------------------------|
| 1. Sriman M. G. Patnaik Mahasayo. | 6. Mr. F. E. James. |
| 2. Dr. P. Subbarayan. | 7. " V. T. Arasu. |
| 3. Diwan Bahadur R. N. Arogyaswami Mudaliyar. | 8. " H. M. Jagannatham. |
| 4. Khan Bahadur Mahmud Schamnad Sahib Bahadur. | 9. Rao Sahib V. I. Muniswami Pillai. |
| 5. Mr. V. P. Narayanan Nambiyar. | 10. Rao Bahadur R. Srinivasan. |
| | 11. Mr. G. R. Premayya. |
| | 12. S. M. K. Beyabani Sahib Bahadur. |

[3rd August 1932]

Noes.

- | | |
|--|---|
| 1. The hon. Khan Bahadur Sir Mahmud Usman Sahib Bahadur. | 28 Mr. T. Narasa Reddi. |
| 2. „ Diwan Bahadur Sir M. Krishnan Nayar. | 29. „ R. M. Palat. |
| 3. „ Sir Archibald Campbell. | 30. The Raja of Bobbili. |
| 4. „ Mr. H. G. Stokes. | 31. The Kumara Raja of Venkatagiri. |
| 5. „ Diwan Bahadur S. Kumaraswami Reddiyar. | 32. The Zamindar of Mirzapuram. |
| 6. „ Mr. P. T. Rajan. | 33. Mr. M. A. Muthiah Chettiyar. |
| 7. „ Diwan Bahadur B. Muniswami Nayudu. | 34. „ A. V. Bhanoji Rao. |
| 8. Mrs. K. Alamelumangathayaramma. | 35. „ J. A. Davis. |
| 9. Mr. C. E. Jones. | 36. Rao Sahib P. Subrahmanyam Chetti. |
| 10. „ J. A. Thorne. | 37. Mr. D. V. Narasimhaswami. |
| 11. „ H. M. Hood. | 38. „ K. Kesava Ramamurti Nayudu. |
| 12. „ R. Madanagopal Nayudu. | 39. „ Mahboob Ali Baig. |
| 13. „ S. H. Slater. | 40. Rao Bahadur T. A. Ramalingam Chettiyar. |
| 14. „ E. Conran Smith. | 41. Mr. Sami Venkatachalam Chetti. |
| 15. „ T. Sundara Rao Nayudu. | 42. Rao Bahadur T. M. Narayanaswami Pillai. |
| 16. Khan Sahib Syed Tajuddin Sahib Bahadur. | 43. Mr. M. A. Manikkavelu Nayakar. |
| 17. Mr. K. P. Raman Menon. | 44. „ A. B. Shetty. |
| 18. Rao Bahadur A. T. Pannirselvam. | 45. „ G. Simhachalam Pantulu. |
| 19. Rao Sahib N. Siva Raj. | 46. „ Abdul Hameed Khan. |
| 20. Subadar-Major S. A. Nanjappa Bahadur. | 47. „ A. Pl. N. V. Nadimuthu Pillai. |
| 21. Diwan Bahadur C. S. Ratnasabhapati Mudaliyar. | 48. The Pattagar of Palayakottai. |
| 22. „ M. Gopalaswami Mudaliyar. | 49. Mr. U. C. Subrahmanya Bhatt. |
| 23. Mr. B. P. Sessa Reddi. | 50. „ K. S. Sivasubrahmanya Ayyar. |
| 24. „ M. S. Sreshtha. | 51. „ K. Singam Ayyangar. |
| 25. „ P. C. Moses. | 52. „ A. Ranganatha Mudaliyar. |
| 26. „ C. Indriah. | 53. „ C. R. Parthasarathi Ayyangar. |
| 27. „ P. Bayappa Reddi. | 54. Rai Sahib C. Kolanda Reddi. |
| | 55. Mr. J. Kuppuswami Choudari. |
| | 56. „ O. Satyanarayana Choudari. |
| | 57. Rao Bahadur Sir A. P. Patro. |
| | 58. Diwan Bahadur S. Ellappa Chettiyar. |
| | 59. Mr. G. Sriramulu. |

Neutral.

- | | |
|---|----------------------------------|
| 1. Diwan Bahadur Sir Alladi Krishnaswami Ayyar. | 6. Mr. Daniel Thomas. |
| 2. Mr. V. M. Ramaswami Mudaliyar. | 7. Swami A. S. Sahajanandam. |
| 3. „ M. Devadasan. | 8. Ahmed Miran Sahib Bahadur. |
| 4. „ P. V. Rajagopala Pillai. | 9. Mr. K. A. Nachiyappa Gounder. |
| 5. Rao Sahib V. Dharmalingam Pillai. | 10. „ K. Koti Reddi. |
| | 11. „ F. J. Stanes. |

Ayes 12.

Noes 59.

Neutral 11.

The amendment was lost.

* Mr. C. SATYANARAYANA CHOUDARI:—“ Mr President, Sir, I beg to move—

“ In line 1 for the word “ seven ” substitute the word “ nine,” and after the word “ determine ” insert the words “ who shall be elected by the Advisory Council consisting of the representatives of the ryots of the devasthanams ” referred to in clause 28.’

“ Now, Sir, this amendment is based upon the very first principle of democracy, namely, no representation, no taxation; where there is taxation there ought to be representation. Now, Sir, this principle is also a principle of commonsense. It is only fair that a person who pays a tax ought to have an effective control over the expenditure of the money that he pays. There are about

3rd August 1932] [Mr. C. Satyanarayana Choudari]

four taluks belonging to the Tirupati Devasthanam. The ryots living in these taluks pay by way of taxes an amount of nearly seven lakhs. That is nearly half the total annual income of the devasthanam, which is about 16 lakhs. My amendment seeks to secure for the ryots of these four taluks effective representation on the committee proposed under the Bill, the proposal being that two of the places on the committee should be filled up by election by the ryots of the Advisory Committee provided for in clause 28 of the Bill. As it stands, the Bill makes no provision for an effective voice for the ryots residing in these four taluks belonging to the devasthanam. Therefore, Sir, I beg to move that my amendment be accepted by the House."

* Mr. V. T. ARASU:—"Sir, I have great pleasure in seconding the motion of my Friend, Mr. Satyanarayana Choudari. Sir, it is but proper that those who contribute towards the income of the temple should have a voice in its management. The total income of this devasthanam is estimated at about 16 lakhs, of which nearly seven lakhs are contributed by the tenants in the zamindari area. Therefore I submit that those who contribute as much as about 50 per cent of the total revenue should be given a voice in its expenditure by giving them at least two seats in the proposed committee."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Mr. President, Sir, the object of the Bill is not to safeguard the interest of the ryot, but it is to safeguard the interest of the temple. If the ryots are to be given a representation, then I am afraid the interests of the temple would be very much affected. The committee has to decide very many questions affecting the tenants and ryots of the devasthanam, and if, in that committee, representation is to be given to the ryots then there will be on the committee persons who will influence the other members, which may be detrimental to the interests of the temple. For this reason I oppose this amendment. Further with a view to help the cause of the ryots there is the Advisory Committee, to which proper representation has been conceded to the ryots. The representations of this committee will be given due weight by the general committee. For these reasons I oppose the amendment."

* Mr. M. A. MANIKKAVELU NAYAKAR:—"Sir, I also oppose the amendment. Because the people who ought to have a voice in the management of the institution should be the general public, that is, the worshippers, and so I do not know why the ryots as such should have any voice in it. The ryots as worshippers will have a voice in the management of the institution, and they will represent their views. The ryots are the electors for the Legislative Council. As such they have ample scope to represent their views. If the amendment is accepted it will amount to this. Suppose a bungalow or a house is bought from the devasthanam funds and that house is let; then the tenant also will want to have a voice in it as he is the tenant of the house bought from the devasthanam funds. Such a thing will be unthinkable. The whole thing was considered in the Select Committee stage, and finally the Select Committee came to the conclusion that the

[Mr. M. A. Manikkavelu Nayakar] [3rd August 1932]

ryots' position was amply safeguarded. Therefore I don't think this amendment is necessary."

4 p.m. Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"I rise to oppose the motion for the reason that the argument advanced is fallacious. Persons who pay homage (kanika) come not only from three taluks but from various parts of India. If that principle is advocated the whole of India has got to be constituted into a constituency. Therefore it is certainly unworkable. It is not practicable. The other argument also seems to be fallacious. As pointed out by Mr. Rathnasabhupati Mudaliyar, the rate-payers of these taluks are people interested in the devasthanam properties in that they happen to be tenants and they will always be amenable to local influence. So, we will be ill-advised to give any representation to them."

* Mr. C. SATYANARAYANA CHOUDARI:—"I am really surprised at the attitude of the Mover of the Bill and Mr. Gopalaswami Mudaliyar. There are two classes of people here, Sir—the general worshippers who may pay or who may not pay and whose contribution is of a doubtful nature. The only amount about which the devasthanam can be sure of, is that contributed by the ryots. We are providing representation in this Bill to those general worshippers whose contributions are of a doubtful nature by providing four seats through the Legislative Council. It is really unfair that this Council should have any objection to make provision for the representation of the ryots whose contribution is the only guaranteed income for the devasthanam. Section 37 of the Bill provides for the expenditure of the surplus amounts that may be found available after meeting the necessary customary expenditure of the temple. I once more beg to submit it is but fair and reasonable that the ryots inhabiting the four taluks who contribute such a large sum as seven lakhs which comes nearly to half of the total income ought to be provided a place on the committee so that they may have some voice in the way of administering these surplus funds as contemplated by section 37. The hon. Mover of the Bill and others who opposed it have not given any cogent reasons why this amendment should not be accepted. When they contribute such a large amount as seven lakhs we will be perfectly justified in providing them with seats on the committee. Therefore I once again appeal to the House to take a more reasonable and practical view of the matter and accept my amendment and do justice to the ryots."

* Mr. G. SIMHACHALAM PANTULU:—"I am really sorry to have to oppose the amendment. The suggestion made is neither sound in principle nor a workable proposition. If elections are conducted and representation is to be given surely this institution will never work. It must be placed in the hands of disinterested persons. Persons with vested interests ought not to be given a place. Here there is no question of the administration; it is only management of the affairs of a trust and disinterested people ought to be there. For the ryot to claim a voice in the administration of affairs there is absolutely no justification. It is not their own money. It is the money of the shrine.

3rd August 1932] [Mr. G. Simhachalam Pantulu]

I do not see why the ryot should have a voice in a matter like this. As one connected with religious institutions I think if representations are given on democratic lines it will not only not work properly but will also work havoc."

The amendment was put and lost.

Clause 6 was put and carried.

Clauses 7, 8, 8-A, 9 and 10 were successively put and carried.

Clauses 11, 12, 13, 14, 15, 16 and 17 were then successively put and carried.

Clause 18.

* MR. SAMI VENKATACHALAM CHETTI:—"I beg to move—

"In clause 18 between the words "Commissioner" and "who" insert the words "from among the officers in service of the Government".

"The object in bringing this motion is to see that the selection for commissionership of the devasthanam should be restricted to those who are in the active service of the Government. This point was placed before the Select Committee and the Select Committee was pleased to agree to that provision in the first instance. But latterly it revised its opinion and omitted that restriction. My objection to appointments being made from outside the active Government service is this. In the first place, when we decide to transfer the power of management of a big estate like this from one individual to a body on the ground that the administration of a single individual is liable to be abused and is liable to lead to several instances of mismanagement it is necessary for the Council to take care that the change we are proposing to-day will not lead to the same defects and to the same abuses. In the case of the Mahant, who has been managing this institution, no specific instance of mismanagement could be proved against him. There is a general belief that the power vested in a single individual is liable to abuses and we are thoroughly justified in such assumption. The Bill now makes provision for the appointment of a committee in the place of the Mahant. The powers exercised hitherto by one single individual are to be exercised by a body and that body would be a controlling body, the chief executive function vesting with the commissioner. These committees, however efficient they may be and however representative they may be, cannot be expected to exercise the executive functions in as efficient a manner as one individual under their direction would be able to do. Naturally, therefore large powers will devolve upon this executive officer. We therefore expect that executive officer to be a thoroughly honest, active and efficient man. Of course these are the characteristics which might be claimed by any individual that may be appointed and these are the characteristics which are called for by the employers. We are not quite so helpless as to rely mainly upon the claims made either by the appointor or upon the claims made by the appointee. There are certain services which would guarantee to us certain amount of honesty and efficiency, such as a Government service. Government service ordinarily

[Mr. Sami Venkatachalam Chetti] [3rd August 1932]

4-15
P.m. ensures a certain amount of check. The officers in Government service do always look to their promotion, emoluments, increments and pensions by their good conduct and their honest and efficient service. They are not such free lances as those who are not in Government service. There is no guarantee that those people who are not in Government service and who may be appointed as commissioners, if ever they commit wrong, will be accountable to any superior authority. But in the case of Government officers there is the system which regulates their conduct, and people will have the confidence and security that the institution is being managed by an officer whose probity is recognized by the Government. There is also another danger of inefficient men becoming commissioners of these devasthanams if the choice is extended beyond the Government service. The appointment has got to be made either from Government service, I admit, or from outside it by the Minister in charge of the subject. But yet the number of applications that might be made to him would be certainly fewer if the choice is restricted only to the Government service. Then he will not have the delicate task of weighing the qualifications, and, what is more difficult, the influence and the recommendations which those who are outside the Government service would bring to bear upon the Ministry. I dare say the hon. Minister himself will feel greatly relieved if the choice is restricted to Government servants, because he would to that extent be less worried about this appointment. During the stage of the introduction of this Bill, much stress was laid upon the necessity of placing the affairs of these devasthanams in the hands of an executive officer who could be relied on for continuous good conduct. It is only in that spirit that I have ventured to make this amendment. I think hon. Members sitting on the other side of the House, some at any rate, are also of that opinion. I hope the hon. Minister himself will see the necessity of instilling confidence in the minds of the public by placing the affairs of these devasthanams in the hands of officers whose character and whose conduct is sufficiently guaranteed by the mere fact of their being included in Government service."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"I second it."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Mr. President, Sir, though at one stage of the Select Committee, we were in favour of restricting the choice only to Government officers, afterwards I had to yield to the wishes of the majority of the Members of the Select Committee who did not want such a restriction. The clause in the Bill as amended by the Select Committee therefore appears better. Everyone admits that the commissioner's post is the most important one under this Bill. As such, I am afraid the choice should not be restricted to Government officers alone. In view of the importance of the post, the field of choice should be very large, so that the best man can be selected for the post. In these days, for every superior Government appointment, whether it be to the judiciary or other departments, we want direct appointments. Thus, while we are against the appointment of persons from the ranks, I cannot understand the

3rd August 1932] [Mr. C. S. Ratnasabhapatī Mudaliyar]

logic of my hon. Friend Mr. Sami Venkatachalam Chetti that for this appointment, only Government servants should be selected. This question was discussed at great length in all its bearings in the Select Committee stage, and having come to that conclusion I am sorry I am not for receding in favour of the amendment of my hon. Friend, Mr. Sami Venkatachalam Chetti."

* MR. SAMI VENKATACHALAM CHETTI:—"Mr. President, my surprise to-day is the greatest I have ever had in the matter of somersaults, such as the one my hon. Friend, Mr. Ratnasabhapatī Mudaliyar, has made now. It is only an hour ago, Sir, he agreed with me on the merits of the question and even told me that he asked Mr. Khalif-ullah to table a motion to the same effect. Of course, I anticipated that it was very unlikely that he would vote for an amendment of this kind, when it came before the Council. But I did not really bargain for a speech of that sort finding arguments for a somersault. That unpleasant task might have been left to some other Member who really believed in the matter. I therefore withdraw the amendment."

The amendment was by leave withdrawn.

Clause 18 was put and carried.

Clause 18-A.

* DIWAN BAHADUR R. N. AROGYASWAMI MUDALIYAR:—"Sir, with reference to clause 18-A, I find some difficulty. To begin with I find there is no definition of the term 'Hindu.' What is a Hindu? Is Sir Patro, who is Brahmo, a Hindu? Mr. Ranganatha Mudaliyar is a Theosophist; is he a Hindu? Coming next to the term 'professing the Hindu religion,' I think, Sir, here again there is no definition to guide us. I am therefore in a difficulty as to what exactly the term 'professing the Hindu religion' means. The Hindu religion is not a dogmatic religion. For instance, you can determine whether a man is a professing Roman Catholic or not. But in the case of the Hindu religion, it allows the widest possible range of beliefs. A man may be anything and still be a Hindu. I appeal to my hon. Friend the Advocate-General to enlighten me on the point. I expected in a Bill like this at least the term 'Hindu' and the term 'Hindu religion' would be defined; but there are no such definitions in this Bill."

* MR. SAMI VENKATACHALAM CHETTI:—"I think my hon. Friend's speech to-day has justified the position we have taken in respect of the word 'Hindu' being retained in that section. I quite sympathize with his complete lack of information with regard to who is a Hindu and who is not. That is why we held that such people are disentitled to vote for elections to a Hindu institution."

* DIWAN BAHADUR C. S. RATNASABHAPATI MUDALIYAR:—"It is clear from the position which was taken up by hon. Friend, Mr. Arogyaswami Mudaliyar that the electorate should comprise of no others than Hindus. Because he is not able to distinguish between who is a Hindu and who is not. If such a right of electing members to a Hindu institution is conceded to Christians or others, we do not know where we will be."

[3rd August 1932]

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"It is not a question of conceding electoral rights to others. What I should like to know is whether there is any definition of the term 'Hindu' or 'Hindu religion.'"

Diwan Bahadur Sir ALLADI KRISHNASWAMI AYYAR:—"I did not wish to interpose in the debate. I do not think there has been a judicial definition of the Hindu religion. But there is a judicial definition of the expression 'Hindu'; that is to say, one belonging to the community called Hindu which is well known in India. It is the members of that community who are governed by the Hindu law. The expression 'Hindu' has come up before the courts and has been judicially interpreted. Evidently the framers of the Bill meant 'by professing the Hindu religion' those belonging to the community well known as Hindus."

Clause 18-A was put and carried.

Clauses 19 to 35 were then put and carried.

Clause 36.

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, I move the following amendment:—

'In clause 36 (v), after the words "the lighting thereof", add the words "for the convenience of the pilgrims and worshippers."'

"The House will find that with regard to the diversion and utilization of the funds, in every one of the objects for which this utilization was provided there is a phrase meaning that these improvements and amenities should be for the benefit and relief of the pilgrims and worshippers, whereas in the case of roads, communications and the lighting thereof, that is omitted. The probable inference from such an omission would be that with regard to the construction and maintenance of roads and communications and the lighting thereof, the money could be spent even outside the district, which I am sure is not the object of the framers of the Bill. It must be merely by an unintentional omission that that phrase is not there. I would therefore suggest that the words 'for the convenience of the pilgrims' may be added."

Mr. G. SIMHACHALAM PANTULU:—"I second it."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"I have no objection to accepting the amendment in the form 'for the convenience of the pilgrims and worshippers'."

Mr. SAMI VENKATACHALAM CHETTI:—"I accept it and my amendment be framed accordingly."

* The hon. the PRESIDENT:—"The question is—

'in clause 36 (v) after the words "lighting thereof" add the words "for the convenience of the pilgrims and worshippers".'

The amendment was carried.

3rd August 1932]

Mr. SAMI VENKATACHALAM CHETTI:—"Sir, with your permission, I just want to move a small amendment with regard to item (vi) in clause 36. I cannot really find a proper word for it. I would request the help of my hon. Friend, the Advocate-General, with regard to this sub-clause dealing with the training of archakas to perform the religious worship and ceremonies in the devasthanams. I want to include in this training those people who perform what is called 'Sevakalam.' You are aware, Sir, the Advocate-General is also aware, what is called Seva which follows a procession. Recently there has been a large reduction in the number of those who attend to the Sevas. That is because there has not been much encouragement for them to take up to this particular service of God.

"I would like that provision be made for the training of such people. They are not included in the category of archakas, because they stand on a different footing. There are particular forms of service in Vaishnava temples, which is not the service of archakas or other class of people. That service has been in existence for a long time. Of late that service is gradually dying out for want of encouragement. I want people to be trained in the particular kind of service. I cannot find the exact word to define that service. I therefore appeal to the Advocate-General for assistance; and if that amendment be allowed at the third reading, I shall be glad."

Mr. R. MADANAGOPAL NAYUDU:—"That service is the chanting of *Nalayiram* and *Vedam*."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"The wording of the clause is very elastic. Mr. Sami Venkatachalam Chetti is afraid that when we say the training of archakas the meaning of the phrase is very much restricted. I think his difficulty will be met if you say 'archakas and others'."

Mr. SAMI VENKATACHALAM CHETTI:—"That will introduce some other confusion. We want only a particular kind of archakas. If you say 'others' it may mean anything. I would like to guard myself against it. I would therefore defer it to the third reading of the Bill; as the hon. Minister has agreed to this, I think there will be no objection to my amendment."

The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"In clause 36 we have provided for what may be considered to be normal services to be performed in the temple. Whether any further restrictions should be made to the services is a question which cannot be answered offhand. I would certainly examine the amendment of my hon. Friend and if there is no objection I shall agree to it."

Clause 36, as amended, was put and carried.

Clause 37.

Diwan Bahadur Sir ALLADI KRISHNASWAMI AYYAR:—"I propose 'that for the words "not inconsistent with" the words "consistent with and calculated to promote" be substituted.'

[3rd August 1932]

[Sir Alladi Krishnaswami Ayyar]

"Hon. Members will at once see what the object of the amendment is. The main principle of this clause is to give effect to what is technically known as the Cypres doctrine. 'Not inconsistent with' is not a happy expression. I am quite alive to the fact that it occurs in the original Endowments Act, but it is not a correct rendering of the doctrine of Cypres. I trust hon. Members will have no difficulty in accepting my amendment as it will bring the language of this section in line with the well accepted principle of Cypres."

Mr. K. P. RAMAN MENON:—"I second it."

* Rao Bahadur Sir A. P. PATRO:—"The doctrine of Cypres will bring great confusion in the interpretation and administration of this particular clause. The clause as it stands is working satisfactorily. In the Hindu Religious Endowments Act, section 67, we have got this phrase 'not inconsistent with', and no difficulty has arisen so far. So I shall urge on the House to accept the language of the original Act instead of the alteration proposed by the learned Advocate-General, as we do not know to what extent this may lead us to. I do not say he has said anything very technical. The amendment is restrictive. It is only a commonsense view and such as we find in ordinary experience. Ordinary experience will guide us as much as possible and avoid loopholes that may lead to litigation. To-morrow, some one taking advantage of the Cypres doctrine may file an application and may lead to great trouble and expense for the temple. Therefore I would adhere to the language already accepted, which would cause no inconvenience whatever."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"I will support the amendment that has been moved by the Advocate-General, with the latter portion left out which would bring in the Cypres doctrine as well understood and which he wants to be embodied in this Bill. There is a lot of difference between the Hindu Religious Endowment Bill and this Bill. That Bill deals both with mutts and temples. And the idea is if with reference to a mutt the disciples of a mutt and the Guru agree upon a certain form of expenditure which is likely to promote the object of the mutt, others need not interfere. That is the object with which the words 'not inconsistent with' were used there. My Friend Sir Patro said that we have not felt any difficulty in the administration of the Hindu Religious Endowments Act so far. I ask him whether any occasion has arisen for the application of this principle in the past? To my knowledge it has not arisen, at any time. There is another point also. We are not here giving an indefinite power for the people to spend their money. In section 37 itself, we are specifying the objects on which after incurring the necessary expenditure of the temples the balances can be spent. I do not think there can be any difficulty in finding ways in which money can be spent. There is no reason why we should introduce a general clause giving wide freedom to spend the money as they choose without reference to the wishes of the people concerned. As I submitted at the beginning, we are dealing with a particular temple; it is not that we are making a

3rd August 1932] [Mr. T. A. Ramalingam Chettiyar]

general rule for all the temples. So the amendment of the Advocate-General seems reasonable, but I would retain the words 'consistent with' and leave out the further restriction implied in 'calculated to promote'; because it will become a difficult matter for decision if it goes to Court. The words 'consistent with' would bring out the general idea of the Cypres doctrine."

* Sriman M. G. PATNAIK Mahasayo:—"No doubt as explained by the Advocate-General, the amendment is intended to restrict the scope of that clause. His object seems to be that the expenditure should be confined to the purposes not only not prohibited by but also consistent with them. But here 'not inconsistent with' is a wider term and means 'not actually prohibited by or repugnant to'. This expression is apparently borrowed from the Hindu Religious Endowments Act itself. Therefore in regard to other temples in the Presidency that clause applies, and there is no reason why that wording should not be adopted with regard to this particular temple.

"Moreover, this temple would have been brought within the scope of the Hindu Religious Endowments Act but for the fact there was a scheme framed or approved by the Privy Council, and this Bill is introduced really to do away with that scheme as far as possible, and see that the administration of the temple is brought into line with temples governed by the Hindu Religious Endowments Act. If this is the object I see no reason why any distinction should be made as to the application of the surplus funds. Unless of course any useful purpose is going to be served by restricting the scope, the amendment should not be adopted. This is a temple where very large sums of money are available, and if they are to be spent only for the purposes for which the institution came into being, I think so much money will be practically wasted. For these reasons this amendment should not be accepted."

Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, much stress was laid on the fact that the same phrase 'not inconsistent with' exists in the Hindu Religious Endowments Act. Well, Sir, that phrase was accepted in the sense that no money would be spent on objects which are not consistent with the objects of the Hindu devasthanams. If to-day we are informed that that phrase does not carry out the full significance and the meaning it had when we passed it, I think it is up to us to correct it not only with reference to this Bill but also with regard to the other Act. If the hon. Advocate-General with his experience of law and experience of instances of disputes arising on account of indefinite and vague phrases occurring in enactments ventures an opinion and says that the proper phraseology would be 'consistent with' instead of 'not inconsistent with' I should defer to his opinion as against the opinion of other gentlemen who do not base their opinion on the study of the law, but upon experience gained in the administration of the previous Act. Even that experience, if examined, as pointed out by Mr. Ramalingam Chettiyar is nothing. No case has arisen so far as that particular Act is concerned where it has

[Mr. Sami Venkatachalam Chetti] [3rd August 1932]

been decided that 'not inconsistent with' carries the same significance as 'consistent with.' Therefore that experience does not stand in good stead to oppose the motion of the Advocate-General.

"Now, with regard to the actual phrase itself, it seems necessary to point out that 'not inconsistent with' might mean anything; for instance, utilization of funds to promote other religions may not be inconsistent with the objects of the devasthanam, because the Hindu religion thinks that all religions have got a place in the world; it has no bias or prejudice against other religions. It considers itself as one religion and it also gives room to many other religions existing in the world. It could not be said that the funds that would be devoted for the purpose of, say, Muslim religion or Christian religion, may not be not inconsistent with the objects of the devasthanam, but still it is not consistent with objects of the devasthanam. So the intention must be to utilize the funds of the devasthanam for the purposes for which this devasthanam was founded or endowed by donors.

4-45
P.m.

"That was consistently the attitude taken even with regard to the framing of sections in other Acts. From the provisions as they exist in the Bill at present, you will find that roads may be used by people other than pilgrims, hospitals may be used by others than those for whom they are intended, and so also schools and choultries by people other than those for whom they are intended. The object of the Act should be to make these things pre-eminently intended in the first place for those people who have got an interest in the devasthanams and latterly to other things. Therefore with regard to the diversion of funds it is really very important that we must go by the interpretation of law. With regard to the interpretation of law, I do not think we need go to any other quarter than the Advocate-General. I therefore support his amendment."

Mr. C. R. PARTHASARATHI AYYANGAR:—"Apparently there is a feeling of doubt as to the particular meaning that will have to be attached to the words 'not inconsistent with' and the words 'consistent with'. The learned Advocate-General says that he wants to simply copy the words expressed in the English Law on the subject. Whatever that might be, when we are going to consider these two negative words, later on, legal ingenuity will certainly be exercised to as great an extent as possible. *Prima facie* the words 'not inconsistent with' and the words 'consistent with' do not connote the same idea. Therefore, we have to see what words will give a wider scope and a liberal interpretation. I think as we are progressing every day we cannot be hidebound with regard to the utilization of funds for the purposes for which the devasthanam funds should be utilized. The idea of yesterday is not the same to-day. We have far advanced. We may hereafter have some definite idea for which the surplus funds of the Tirupati Devasthanam should be used. It is very clear that as we are progressing we may be confronted with new schemes of expenditure in future. If the amendment of the learned Advocate-General is accepted it may land us in difficulties. Questions will arise as to what

3rd August 1932] [Mr. C. R. Parthasarathi Ayyangar]

are the purposes for which the surplus funds should be used. But the words 'not inconsistent with' gave us a wider scope and latitude to use the funds of the devasthanams for purposes which for the time being we may consider essential. Hindu religion is so wide as to include every form of activity. If the expression 'consistent with' is used it may be said to-morrow that a certain purpose for which we want to utilize the funds is not consistent with the objects of the Act and that the Legislature did not contemplate it. That is how any High Court Judge will construe the section. Therefore, I would suggest that the words 'not inconsistent with' which is a wider expression may be retained."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Sir, I have to oppose this amendment. I am not a vakil to enter into the merits of this question. I agree with Mr. C. R. Parthasarathi Ayyangar in thinking that the clause should be retained as it stands. In view of sub-clauses 37 (1) and (2), I do not see any harm in having this clause as it is. I want that the provisions of this Act should be consistent with the provisions of the Hindu Religious Endowments Act. With due deference to the learned Advocate-General I should say that the clause should stand as it is."

* The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, the amendment wants to restrict the application of surplus funds to purposes which are 'consistent' with the objects of the endowments."

Diwan Bahadur Sir ALLADI KRISHNASWAMI AYYAR:—"I find it difficult to understand the double negative."

* The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"It is not merely a question of grammar. If you say that the funds should be utilized for objects which are 'consistent with' the objects of the institution, the scope of utilization is restricted. Mr. Sami Venkatachalam Chetti said that the words 'not inconsistent with' may include objects which are 'not consistent with' the objects of the institution, and he even went to the extent of saying that not only should we amend the clause here, but also it is necessary to amend the provision in the Hindu Religious Endowments Act as well. These words 'not inconsistent with' are found in that Act. Even at the time when that Act was enacted, I remember that a very strong agitation was made that the words 'not inconsistent with' should be modified as suggested now, but the Council on both occasions when that Act was considered voted in favour of retaining the words 'not inconsistent with'. We are merely importing that very section into this Bill. I therefore think that if you want to avoid the possibility of another agitation to amend the Hindu Religious Endowments Act it is preferable to continue the existing wording 'not inconsistent with'. I would rather say that as a matter of policy this Council has adopted that expression on two different occasions and I do not see any reason why we should not adopt the same now. I, therefore, oppose the amendment."

* Diwan Bahadur Sir ALLADI KRISHNASWAMI AYYAR:—"The only reason why I brought forward the amendment is because I find it

[Sir Alladi Krishnaswami Ayyar] [3rd August 1932]

difficult to understand the import of the double negative 'not inconsistent with' in the context. I could well understand purposes which are inconsistent with a foundation and purposes which are consistent with a foundation. How is a Court of Law or the Endowments Board to find out purposes which are not inconsistent with a particular purpose. It would be a difficult task for the Endowment Board or even for the Court to give directions for utilization of funds not inconsistent with the purposes. One of the hon. Members stated that the expression occurs in the Religious Endowments Act. But for the fact that I owed it to myself by virtue of my office as the 'Protector' of charities to bring to the notice of the House what exactly is the correct principle that has to be adopted in regard to the application of funds devoted to charitable purposes I should never have interposed in this debate. I may mention that long before I assumed my present office, writing in the Madras Law Journal, I commented upon the expression 'not inconsistent with' occurring in the original Religious Endowments Bill. I should like to explain the principle underlying my amendment to my hon. Friends who are progressives, or at least some of them. It is not right that we should trade upon the credulity of other people who are making their offerings to these temples in the belief that the surplus funds are going to be utilized for certain purposes which are dear to their heart. To take an example: suppose a chair is started for examining the foundations of religious belief; it may be a very good thing to do from the point of view of some people. If such a chair is started nobody can affirmatively say according to the Bill as it stands at present that such a purpose is inconsistent with the objects of the Devasthanam although it may not be consistent. Or again, take the case of a chair for examining the foundations of idol worship. It may be difficult to state that such a foundation is inconsistent with the purposes of the Devasthanam though the foundation may not be consistent with and calculated to promote the purposes of the Devasthanam. I therefore ask hon. Members consistently with the dominant motive and intention of the people making the offerings to accept the amendment. I believe I have done my duty as 'Protector of Charities' in respect of religious institutions by bringing this point to the notice of this House and it does not matter a bit to me what exactly is the fate of this amendment."

The amendment was put and declared lost.

A poll was demanded and the House divided thus:—

Ayes.

- | | |
|--|--|
| 1. Dr. P. Subbarayan. | 7. Mr. G. Simhachalam Pantulu. |
| 2. Diwan Bahadur R. N. Arogyaswami Mudaliyar. | 8. „ K. A. Nachiyappa Gounder. |
| 3. Rao Bahadur T. A. Ramalingam Chettiyar. | 9. „ A. Pl. N. V. Nadimuthu Pillai. |
| 4. Mr. Sami Venkatachalam Chetti. | 10. „ K. S. Sivasubrahmanya Ayyar. |
| 5. Khan Bahadur Mahmud Schammad Sahib Bahadur. | 11. „ P. Peddi Raju. |
| 6. Rao Bahadur T. M. Narayanaswami Pillai. | 12. Diwan Bahadur Sir Alladi Krishnaswami Ayyar. |
| | 13. Mr. K. P. Raman Menon. |

3rd August 1932]

Noes.

- | | |
|---|---|
| 1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 19. Diwan Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 2. „ Diwan Bahadur Sir M. Krishnan Nayar. | 20. Diwan Bahadur M. Gopalaswami Mudaliyar. |
| 3. „ Sir Archibald Campbell. | 21. Mr. B. P. Sesha Reddi. |
| 4. „ Mr. H. G. Stokes. | 22. „ P. C. Moses. |
| 5. „ Mr. P. T. Rajan. | 23. „ C. Indriah. |
| 6. „ Diwan Bahadur B. Muni-swami Nayudu. | 24. „ P. Bayappa Reddi. |
| 7. Mr. C. E. Jones. | 25. „ T. Narasa Reddi. |
| 8. „ J. A. Thorne. | 26. The Raja of Kallikote. |
| 9. „ H. M. Hood. | 27. The Zamindar of Mirzapuram. |
| 10. „ R. Madanagopal Nayudu. | 28. Mr. A. V. Bhanoji Rao. |
| 11. „ S. H. Slater. | 29. „ Daniel Thomas. |
| 12. „ E. Conran Smith. | 30. Pandit Ganala Ramamurti. |
| 13. „ T. Sundara Rao Nayudu. | 31. Mr. D. V. Narasimhaswami. |
| 14. Khan Sahib Syed Tajuddin Sahib Bahadur. | 32. Sriman M. G. Patnaik Mahasayo. |
| 15. Rao Bahadur A. T. Pannirselvam. | 33. Rao Bahadur Sir A. P. Patro. |
| 16. Mr. K. C. M. Venkatachala Reddiyar. | 34. The Maharaja of Venkatagiri. |
| 17. „ M. Devadasan. | 35. Mr. G. Sriramulu. |
| 18. Subadar-Major S. A. Nanjappa Bahadur. | 36. Rao Sahib V. I. Muniswami Pillai. |
| | 37. Mr. G. Lakshmana Reddi. |
| | 38. „ A. Ranganatha Mudaliyar. |
| | 39. „ K. Koti Reddi. |
| | 40. „ C. R. Parthasarathi Ayyangar. |
| | 41. „ J. Kuppuswami Choudari. |
| | 42. „ C. Satyanarayana Choudari. |

Ayes 13. Noes 42.

The amendment was lost.

Clause 37 was put and carried.

Clauses 38 to 49 were put successively and carried.

Schedules I and II were put and carried.

The Preamble was put and carried.

The House adjourned to meet again at 11 a.m. the next day.

XXXIII. PAPERS LAID ON THE TABLE OF THE HOUSE.

¹ Statement showing additions and reductions in non-voted appropriations sanctioned during the year 1931-32.

² G.O. No. 2922, L. & M., dated 26th July 1932, fixing the date of retirement of members of district and taluk boards in the Madura district.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.